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January 15, 2009

VIA ELECTRONIC & US MAIL

Ms. Alice Yeh
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: *Monthly Progress Report No. 20 – December 2008*
*Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)*
*CERCLA Docket No. 02-2007-2009***

Dear Ms. Yeh:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On December 3, CPG met with EPA and Partner Agencies (PA) to review and discuss EPA's responses to comments, clarify key issues, and identify unscoped tasks in Field Sampling Plan Volume 2 (FSP2). On the afternoon of the same day, a PDT was meeting was held and was attended by representatives of the CPG.
- A meeting was held on December 8 between the CPG modeling team and, Dr. Robert Chant and Dr. Rocky Geyer, practice area experts on hydrodynamics and sediment transport, to discuss available data from the LPRSA.

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- The regularly scheduled monthly conference call was held between the EPA and CPG modeling team on December 15.
- A meeting was held on December 18 with EPA and CPG regarding human health risk assessment issues related to the fish consumption pathway.

Correspondence

- On December 1, CPG sent EPA a letter regarding revisions to the Feasibility Study Work Plan.
- On December 9, CPG sent EPA a Low Resolution Coring (LRC) Program field modification for the addition of three cores along the former Dundee Canal for review and approval.
- On December 11, CPG sent EPA a revised field modification for the LRC Program investigation of the former Dundee Canal for approval. EPA provided approval on December 12.
- On December 15, EPA and CPG held a teleconference to discuss the RI/FS schedule.
- On December 15, CPG submitted the monthly November progress report to EPA.
- On December 22, HydroQual Inc. sent Moffatt & Nichol a hard drive with modeling boundary conditions and responses to CPG questions on the hydrodynamic model.
- On December 26, CPG sent EPA an agenda for a workshop on FSP2 which is scheduled for January 14 and 15.
- On December 29, CPG sent EPA a draft revised RI/FS project schedule.

Work

- CPG completed the LRC field work; 117 locations were cored and a total of 771 sediment samples collected. The number of samples processed including QC samples (duplicates, MS/MSD and EPA split samples) is approximately 1038 as of December 31, 2008. This includes the sampling of two of the three proposed former Dundee Canal locations. Access was not granted at one of the sites.
- LRC data validation continues in addition to preliminary data evaluation.
- CPG held several coordination calls with Deltares and Moffatt & Nichol regarding review of existing data, potential data collection, and modeling coordination with the RI/FS.

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- AECOM continued transition of information to the modeling team of Moffatt & Nichol and Deltares. CPG continued coordination calls as well as information transfer.
- CPG continued to review EPA's October 1, 2008 responses to CPG, Tierra Solutions and PA comments from August 2006 on draft FSP2.
- CPG completed the 2008 bathymetry study on December 5, 2008. The study included a multi-beam survey from RM 0 to approximately RM 14.25 and 13 single beam transects between RM 1.6 and RM 8.
- As agreed at the December 3 meeting with EPA and the Partner Agencies, CPG began preparing a streamlined Risk Assessment Problem Formulation document for submission to EPA on January 31, 2009.

(b) Results of Sampling and Tests

- Sampling data from November was provided to EPA in conjunction with the November monthly progress report. In addition, a Region 2 MEDD submittal of data validated in November 2008 was uploaded to the PREmis web portal.
- PDFs of the lab data packages and copies of lab EDD files that were received in December 2008 are being provided to EPA under separate cover. A Region 2 MEDD submittal of data validated in December 2008 will be provided as an upload to the PREmis web portal.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG Modeling team will continue its review and set-up of the Hydrodynamic model and, and other modeling components that have been provided to the CPG.
- CPG will continue development of a Quality Assurance Project Plan for Physical Water Column Monitoring including secondary data review.
- CPG will continue validation and evaluation of LRC data.
- CPG will initiate review and evaluation of the 2008 Bathymetry Survey data due in mid-February.
- A workshop to discuss FSP2 with EPA and the Partner Agencies is scheduled for January 14 and 15.
- CPG will revise the preliminary Draft Feasibility Study Work Plan.
- CPG will continue its preliminary identification candidate technologies.

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- CPG will complete drafting of the the streamlined Risk Assessment Problem Formulation Document.

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

The CPG Modeling Team has not yet received the calibrated sediment transport numerical model from EPA. Based on conversations with EPA, the receipt of this model is now expected in February 2009. Further delay of the receipt of this model will affect the schedule of the CPG modeling activities, as well as the potential completion date of the RI/FS.

If you have any questions, please contact me or Rob Law at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard F. Potter / cfe

Willard F. Potter
Project Coordinator

cc: Sarah Flanagan, EPA Office of Regional Counsel
William Hyatt, CPG Coordinating Counsel
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